

Stephen Bryant, III

May 09, 2022

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF TEXAS (Galveston Division)

STEPHEN PATRICK BRYANT, III)

Plaintiff,)

V.) NO. 3:20-CV 00374

GALVESTON COUNTY, TEXAS,)
ET AL.)

Defendants.)

ORAL DEPOSITION OF
STEPHEN PATRICK BRYANT, III

MAY 9, 2022

(Reported Remotely)

ORAL DEPOSITION of STEPHEN PATRICK BRYANT, III,
produced as a witness at the instance of the DEFENDANT
HOLLEY, and duly sworn, was taken in the above-styled
and numbered cause on MAY 9, 2022, from 8:47 a.m. to
10:45 a.m., before Stephanie M. Harper, RPR, CSR in and
for the State of Texas, recorded by machine shorthand,
at La Marque, Texas pursuant to Rule 30 of the Federal
Rules of Civil Procedure and the provisions stated on
the record or attached hereto; that the deposition
shall be read and signed before any notary public.

JOB NO. 828160

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A P P E A R A N C E S

FOR STEPHEN PATRICK BRYANT, III.

MR RANDALL L. KALLINEN
[via Zoom videoconference]
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Houston, Texas 77012
(713) 320-3785
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FOR DEFENDANT HOLLEY:

MR. GREGORY B CAGLE [via Zoom videoconference]
TEXAS MUNICIPAL POLICE ASSOCIATION
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713-489-4789
gcagle@tmpalawyer.com

ALSO PRESENT

MR. KEITH HOWSE
[via Zoom videoconference]

MR. ERIK THORMAEHLEN,
MAGNA LEGAL SERVICES, LLC HOST
[via Zoom videoconference]

REPORTED BY

STEPHANIE M HARPER, RPR, CSR
[via Zoom videoconference]
courtreporter@mac.com

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EXHIBIT INDEX

ORAL DEPOSITION OF

STEPHEN PATRICK BRYANT, III

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	Description	Page
Exhibit 1	Galveston County Sheriff's ... Office "Involvement: BRYANT, STEPHEN PATRICK III"	13
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• _____ •

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1 ~~going to try to show you what I'm going to mark as~~
2 ~~Bryant Exhibit 3.~~

3 ~~Can you see that on the screen?~~
4 ~~(Exhibit 3 marked/introduced.)~~

5 A. ~~Yes, sir.~~

6 Q. ~~(BY MR. CAGLE) And I meant to tell you,~~
7 ~~Mr. Bryant, or, obviously, anybody, if we need to~~
8 ~~take a break at some point, just let me know. Just~~
9 ~~let me finish --~~

10 A. ~~Yes, sir.~~

11 Q. ~~Just let me finish the question, and then~~
12 ~~we can take a break.~~

13 All right. ~~Can you see Exhibit 3 up~~
14 ~~there?~~

15 A. ~~Yes, sir.~~

16 Q. ~~okay? Have you ever seen Exhibit 3~~
17 ~~before?~~

18 A. ~~No, sir.~~

19 Q. All right. Do you recall being
20 interviewed by a female EMT by the name of Joy Hart?

21 A. I don't -- I don't specifically recall,
22 but I'm sure she did.

23 Q. Okay. Do you -- do you know Ms. Hart?

24 A. I don't -- I don't know her personally.
25 No.

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1 Q. Okay. Was there anything threatening
2 about Ms. Hart? Did Ms. Hart do anything to cause
3 you any concerns?

4 A. Oh, no. She would have been real nice.

5 Q. Okay. And Ms. Hart interviewed you, it
6 indicates on this document, on December 15th at
7 about 0451 in the morning. Does that sound right to
8 you?

9 A. Yes, sir.

10 Q. All right. Ms. Hart took your blood
11 pressure, pulse, temperature, correct?

12 A. Yes, sir.

13 Q. All right. And Ms. Hart, I guess, put
14 a -- do you recall Ms. Hart putting an O2 sensor on
15 your finger or on your ear?

16 A. Sure.

17 Q. All right. Do you recall Ms. Hart asking
18 you the questions that we see here? Question No. 2,
19 "Do you have any medical problems that require
20 immediate attention?"

21 A. Yes, sir. I -- I mean, she asked me those
22 question. Yes, sir.

23 Q. Okay. And I want you to look at the
24 answers and tell me if these answers accurately
25 reflect what you told Ms. Hart back on December

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1 15th, 2018.

2 A. Yes, sir.

3 Q. All right. And I'll tell you, in looking
4 at Exhibit 3, there's -- there's no indication that
5 you ever reported to Ms. Hart that you had been
6 assaulted by a deputy, choked, or needed any kind of
7 medical attention at all. Is that accurate?

8 A. Correct. Yeah. I was totally against
9 reporting it at that time until I was bonded out due
10 to safety reasons.

11 ~~Q. But you've been -- you've been in the~~
12 ~~Galveston County Jail a number of times, right?~~

13 ~~MR. KALLINEN: Objection, more~~
14 ~~prejudicial than probative, argumentative.~~

15 ~~A. Yes, I have.~~

16 ~~Q. (BY MR. CAGLE) So you're familiar with~~
17 ~~the grievance process within the Galveston County~~
18 ~~Jail, aren't you?~~

19 ~~A. No, sir.~~

20 ~~MR. KALLINEN: Objection, more~~
21 ~~prejudicial what's a -- not relevant.~~

22 ~~Q. (BY MR. CAGLE) Did you report to anyone~~
23 ~~at Galveston County Jail, the nurse, any of the~~
24 ~~deputies, the booking deputy, anyone, that you had a~~
25 ~~complaint against Deputy Molley or that you had been~~

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1 Q. And when I say you have no medical
2 expenses, I'm going to follow it up and ask did you
3 ever seek any medical treatment for any injury that
4 you allege that Deputy Holley caused?

5 A. I -- I don't believe so.

6 Q. ~~And when you were asked by Ms. Hart, the~~
7 ~~medical person at the jail, whether you had~~
8 ~~injuries, you didn't report any injuries or pain of~~
9 ~~the assault that you allege against Deputy Holley,~~
10 ~~is that correct?~~

11 A. ~~I did not for safety reasons, again.~~

12 Q. ~~Well, I know you have an excuse, but my~~
13 ~~question is simple, whether you in fact reported it~~
14 ~~or not. And your answer is no; is that right?~~

15 A. ~~Correct. I did not.~~

16 ~~They're very close to the deputies~~
17 ~~that they work with, so...~~

18 Q. ~~Do you have some evidence that Ms. Hart~~
19 ~~would retaliate against you or report it to the~~
20 ~~deputies?~~

21 A. ~~No, just personal experience.~~

22 Q. ~~Okay. Well, tell me about the personal~~
23 ~~experience where you've reported misconduct by a~~
24 ~~deputy and then --~~

25 A. ~~I wouldn't say misconduct. I just know~~

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1 ~~that one time I was vomiting at -- while I was in~~
2 ~~cell. So from previous experience, you know, oh,~~
3 ~~this -- she would tell the deputies, Hey, this guy~~
4 ~~is sick. He's complaining about this. He's~~
5 ~~complaining about that.~~

6 ~~So, you know, if I would complain~~
7 ~~about something, Hey, I got choked by a deputy, she~~
8 ~~would most definitely go and tell the deputies, Hey,~~
9 ~~this guy has got a complaint.~~

10 ~~And then, you know, I don't know if~~
11 ~~that's misconduct, That's just relaying~~
12 ~~information.~~

13 Q. ~~Okay. So your belief is that Ms. Hart~~
14 ~~would have went and told the deputies and something~~
15 ~~bad would have happened to you?~~

16 A. ~~Correct. Not necessarily by Ms. Hart. By~~
17 ~~any means.~~

18 Q. Was there something from -- that prevented
19 you from telling Ms. Hart that your neck hurt and
20 you just didn't know what happened so you could get
21 medical treatment for it?

22 A. I mean, no reason to lie.

23 Q. Well, don't you think you --

24 A. I just wanted to hurry up -- I just wanted
25 to hurry up and get it done.

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1 Q. ~~Well, don't you think you lied to Ms. Hart~~
2 ~~on the intake form --~~

3 A. I --

4 Q. ~~-- when you were asked about whether you~~
5 ~~had any injuries?~~

6 A. ~~I don't believe so.~~

7 MR. KALLINEN: ~~Objection; assumes~~
8 ~~facts not in evidence and misstates the document --~~
9 ~~what's on the document.~~

10 ~~But go ahead. You can answer.~~

11 A. ~~I mean, I had been assaulted. I don't~~
12 ~~know if I was necessarily injured --~~

13 Q. ~~(BY MR. CAGLE) Okay.~~

14 A. ~~-- to where -- you know, I literally just~~
15 ~~wanted it to go away so I could get out of jail.~~
16 ~~It's -- you know. Leave it at that.~~

17 Q. So tell me physically what -- what you saw
18 and felt, I guess, after that you allege Deputy
19 Holley choked you.

20 MR. KALLINEN: Objection; vague.

21 A. Do you mean during or after or what?

22 Q. (BY MR. CAGLE) No. I mean after. Did
23 you experience pain? Was there swelling, redness,
24 bruising?

25 A. I was just very scared, and I couldn't

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1 believe it happened, you know. I've never -- I've
2 never been treated by a cop like that. They're
3 usually professional.

4 Q. Okay. My question was different. My
5 question is: You say you were scared; is that
6 right?

7 A. Scared, yep.

8 Q. Okay. Was there anything else that you
9 suffered from other than being scared?

10 MR. KALLINEN: Objection; asked and
11 answered.

12 But you can, you know, answer again.

13 A. I mean, I was already diagnosed with PTSD,
14 so it just compounded and made my PTSD worse. I'm
15 still scared of cops every single day.

16 Q. ~~(BY MR. CAGLE) All right. Who -- who~~
17 ~~diagnosed you with PTSD?~~

18 A. ~~I can't get his name. I've been trying to~~
19 ~~get his name, but he doesn't work at the hospital~~
20 ~~that I went to. I don't even remember his name, but~~
21 ~~it was at -- it was at the TIRR Rehabilitation~~
22 ~~Center up in Houston.~~

23 Q. ~~Okay. And what treatment did you get for~~
24 ~~this PTSD at the TIRR rehab center?~~

25 A. ~~They just gave me -- put some -- gave me~~

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1 A. ~~I -- I couldn't tell you. It was a couple~~
2 ~~of weeks. Maybe -- maybe longer. I'm not sure.~~

3 Q. Did you have any -- any marks on your neck
4 that you could see at any point in time?

5 A. I didn't take any pictures of myself.
6 I -- I should have but...

7 Q. Well. My question is different. My
8 question is are --

9 A. I don't know.

10 Q. Sir?

11 A. I don't know.

12 Q. Well, do you have a mirror at your house?

13 A. I -- I definitely would have had a mirror
14 around me, but it wasn't something that I focused
15 on.

16 Q. Okay. Are you -- so are you saying there
17 were never any marks that -- that you saw?

18 A. I'm not saying that.

19 Q. Okay. Did you -- did you have marks on
20 your neck as a result of what you say Officer
21 Holley -- or Deputy Holley did?

22 A. I don't know.

23 Q. Okay. Are you saying you don't know
24 because you never saw any?

25 A. I don't know because I don't remember.

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1 ~~Like, I wasn't like, Oh, there's a mark on my neck.~~
2 ~~Let me remember this for the rest of my life kind of~~
3 ~~things.~~

4 Q. ~~Okay. Well --~~

5 A. ~~That's what I'm saying.~~

6 Q. ~~At some point you decided you were going~~
7 ~~to file a complaint against Deputy Holley, right?~~

8 A. ~~I filed the complaint because I almost~~
9 ~~passed out in the backseat of the car. That's what~~
10 ~~I remember most vividly.~~

11 Q. ~~Okay. Have you reviewed the photographs~~
12 ~~that Internal Affairs took when you came and filed~~
13 ~~the complaint?~~

14 A. ~~I have not.~~

15 Q. ~~All right. And if those photographs don't~~
16 ~~depict any red marks or any injury of any kind,~~
17 ~~would that surprise you?~~

18 MR. KALLINEN: ~~Objection; assumes~~
19 ~~facts not in evidence and calls for speculation.~~

20 A. ~~I would not be surprised by anything.~~

21 Q. (BY MR. CAGLE) Okay. Are you saying at
22 some point between -- are you saying that at some
23 point in time you saw marks on your neck? That's my
24 question.

25 A. I told you I don't know.

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1 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
2 DISTRICT OF TEXAS (Galveston Division)
3 STEPHEN PATRICK BRYANT, III)
4 Plaintiff,)
5 V.) NO. 3:20-CV 00374
6 GALVESTON COUNTY, TEXAS,)
7 ET AL.)
8 Defendants.)

9 *****
10 THE STATE OF TEXAS :
11 COUNTY OF HARRIS :

12 I, Stephanie M. Harper, a Certified Shorthand
13 Reporter in and for the State of Texas, hereby
14 certify to the following:

15 That the witness, STEPHEN PATRICK BRYANT, III,
16 was duly sworn by the officer and that the
17 transcript of the oral deposition is a true record
18 of the testimony given by the witness;

19 That the deposition transcript was submitted
20 on 5-29, 2022, to the witness, or to the
21 attorney for the witness, for examination,
22 signature, and return to Magna Legal Services, LLC,
23 by 6-30, 2022;

24 That the amount of time used by each party at
25 the deposition is as follows:

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1 MR CAGLE - 01 48 17

2 MR. KALLINEN - 00:00.19

3

4 I further certify that I am neither counsel
5 for, related to, nor employed by any of the parties
6 or attorneys in the action in which this proceeding
7 was taken, and further that I am not financially or
8 otherwise interested in the outcome of the action.

9 GIVEN UNDER MY HAND AND SEAL OF OFFICE, on
10 this, the 23rd day of May, 2022.

11

12

13



14

15

STEPHANIE M HARPER, CSR
Certification No : 7433
Expiration Date 5-31-23

16

17 Magna Legal Services, LLC
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25 JOB NO. 828160 [STEPHEN PATRICK BRYANT, III]